## UNITED STATES DISTRICT COURT WESTERN DISTRICT OF NORTH CAROLINA STATESVILLE DIVISION 5:18-cy-167-FDW

MICHAEL ODELL FAIR,	)
Plaintiff,	)
vs.	ORDER
JASON MUNDAY,	)
Defendant.	)
	)

**THIS MATTER** is before the Court on a periodic status review of Plaintiff's action filed pursuant to 42 U.S.C. § 1983.

The Complaint passed initial review and the Court ordered Plaintiff to fill out and return a summons form for service of process on the Defendant on December 3, 2018. (Doc. No. 6). The Clerk of Court again mailed a blank summons form to Plaintiff on December 18, 2018 with instructions to complete and return it for service of process.

Plaintiff has failed to comply with the Court's Orders and it appears that Plaintiff may have abandoned this action. Plaintiff shall file, within **fourteen (14) days** of this Order, a summons form as required in the Court's December 3 Order, or shall file a Response to this Order explaining why he has failed to do so. Failure to comply with this Order will result in dismissal and closure of this action without further notice to Plaintiff.

## IT IS, THEREFORE, ORDERED that:

(1) Plaintiff shall have fourteen (14) days from the date of this Order in which to either return the filled-out summons form to the Clerk for service of process on Defendants, or to respond to this Order showing cause for why he has not returned

the summons form to the Clerk for service of process. If Plaintiff fails to respond to this Order, this action will be dismissed without further notice to Plaintiff.

(2) The Clerk of Court is instructed to mail to Plaintiff a copy of this Order and a blank summons form.

Signed: January 16, 2019

Frank D. Whitney

Chief United States District Judge